

ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420

REMARKS

Claims 1-5 of the present application, U.S. Patent Application No. 09/776,420 (hereinafter "Application") stand rejected in the final Office Action mailed 6/2/2005 (hereinafter "Office Action") under 35 U.S.C. 103(a) as obvious over Ray et al (U.S.P.N. 6,067,529) (hereinafter "Ray") in view of Pitroda (U.S.P.N. 5,884,271) (hereinafter "Pitroda").

The Applicants are not entirely certain what specific grounds of rejection and reasoning apply to claims 17-23, where the Office Action states:

Claims 2-5 depend from claim 1 and claims 7-10 depend from claim 6 and claims 12-15 depend from claim 11 and claim 18-23 depend from claim 17 and remain rejected. Thus the rejection of claims 1-25 are maintained to include the applicant's currently filed amendments filed March 18, 2005 being addressed below for applicant's convenience. Office Action, page 3.

The Office Action subsequently states on page 4 that claims 1-15 are rejected as obvious over Ray in view of Pitroda. Since no express reasoning is provided in the Office Action with regard to claims 17-23, the Applicants interpret "the rejection of claims 1-25 are maintained" to mean that the reasoning provided in the prior Office Action mailed 9/20/2004 (hereinafter "9/20/2004 Office Action") currently applies. Thus, for the purposes of this Response, the Applicants will assume that claims 17-23 still stand rejected as obvious over Ray in view of Pitroda. The Applicants ask that the Examiner correct the Applicants' assumption regarding claims 17-23 if necessary.

In view of the clarifying Amendments and Remarks, the Applicants respectfully assert that claims 1-5 and 17-23 are allowable over the cited references. Additionally, claims 27-42 have been added by amendment, and the Applicants respectfully assert that claims 27-42 are also allowable over the cited references.

Rejections Under 35 U.S.C. §103(a)

For a claim to be properly rejected under 35 U.S.C. 103, "[t]he PTO has the burden under section 103 to establish a prima facie case of obviousness." *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988) (Citations omitted). In order to maintain a prima facie case of obviousness under 35 U.S.C. 103(a), three criteria must be met. Specifically, the Patent

**ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420**

Examiner must show: (1) some suggestion or motivation in the prior art to combine reference teachings; (2) a reasonable expectation of success; and (3) the combination of references must teach or suggest all claim limitations. See, e.g., *In re Dow Chemical Company*, 837 F.2d 469 (Fed. Cir. 1988), and *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). To reject claims as obvious under 35 U.S.C. 103(a), the burden rests on the Examiner to establish all elements of the *prima facie* case. Unless the Examiner satisfies his burden of proving the *prima facie* case, claims may not be properly rejected as obvious.

Since several claims stand rejected as obvious, each of the several claims will be discussed in turn.

**Independent Claim 1**

In view of the Examiner's helpful remarks presented in office actions and a telephonic interview conducted on January 14, 2004 (hereinafter "Interview"), claim 1 has been amended to more clearly distinguish over the cited prior art references.

Claim 1 contains a novel limitation of a central database which stores a plurality of transactions between buyers and sellers, where *each* stored transaction contains a *unique* buyer-seller combination or pairing. The Applicants respectfully assert that at least the *unique combination* limitation renders claim 1 allowable over the prior art references. Accordingly, claim 1 has been amended to more clearly articulate the *unique combination* limitation.

Claim 1 as originally filed stated:

performing steps a, b and c for a plurality of transactions, no transaction of the plurality of transactions occurring between the same buyer and seller as any other transaction of the plurality of transactions;

Claim 1 as presently amended states:

performing steps a, b and c for a plurality of transactions, each of the plurality of transactions occurring between a unique buyer and seller combination;

ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420

In view of the clarifying amendment above, the Applicants respectfully assert that claim 1 is allowable for at least the reason that none of the cited prior art references, alone or in combination, disclose the *unique combination* limitation.

To comport with the Examiner's helpful comments made during the Interview, the Applicants have amended step (b) of claim 1 to more clearly define the *detailed information* stored in electronic receipts.

Claim 1 as currently amended states in relevant part:

generating an electronic sales receipt including detailed information describing the items purchased, *wherein detailed information includes sale price, sale tax, total transaction amount, and information indicating completion of the transaction;* (Emphasis added).

The Applicants submit that the above amendment defining *detailed information* to include sale price, sale tax, total transaction amount, and information indicating completion of the transaction helps to more clearly distinguish claim 1 over the prior art references.

In view of the above amendments, the Applicants respectfully assert that claim 1 is allowable as novel and unobvious over the cited prior art references for at least that reason that none of the references disclose or suggest a method for collecting electronic sales receipts where *each* of the transactions occurs between a *unique* buyer and seller combination, or where the electronic receipts contain detailed information including at least sale price, sale tax, total transaction amount, and information indicating completion of the transaction.

#### Dependent Claims 2-5

The Applicants respectfully assert that dependent claims 2-5 are allowable for at least the reason that each depends directly or indirectly from allowable independent claim 1.

#### Independent Claim 17

Claim 17 currently stands rejected as obvious over Ray in view of Pitroda. The Applicants respectfully assert that claim 17 is allowable for at least the reason that the cited prior art references do not disclose or suggest steps (e), (f), and (g) of claim 17.

**ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420**

The 9/20/2004 Office Action states that claim 17 is obvious using the rationale provided for claim 1. 9/20/2004 Office Action, page 6. It was asserted that claim 1 is obvious where Ray discloses step (a), drawn to conducting a sales transaction, step (b), drawn to generating an electronic sales receipt, and step (c) drawn to transmitting the sales receipt. 9/20/2004 Office Action, page 4. However, the 9/20/2004 Office Action does not address steps (e) – (g) of claim 17, which are additional limitations not found in claim 1.

Claim 17 states in relevant part:

- (e) selecting a record in the centralized database associated with a selected buyer;
- (f) organizing the record based on a buyer preference; and
- (g) displaying on the user interface the supplemental information associated with the at least one item purchased as stored in the selected record.

The Applicants respectfully assert that claim 17 is allowable over the prior art references for at least the reason that they do not disclose or suggest steps drawn to *selecting a record associated with a buyer, organizing the record based on buyer preference, or displaying supplemental information* on the user interface.

The Applicants also respectfully assert that claim 17 is allowable for at least the reasons that the cited prior art references do not disclose or suggest the *unique combination* limitation which has been clarified by amendment to claim 17, nor do the references disclose or suggest *detailed information* including sale price, sale tax, total transaction amount, and information indicating completion of the transaction, also as clarified by amendment.

**Dependent Claims 18-23**

The Applicants respectfully assert that dependent claims 18-23 are allowable for at least the reason that each depends directly or indirectly from allowable independent claim 17.

Claims 18-23 are also allowable for at least the reason that the cited prior art references do not disclose or suggest displaying on the user interface *supplemental information* associated with the item purchased, wherein the supplemental information comprises warranty information, an item manual, rebate information, recall information, accessory information, or product return information.

ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420

**Independent Claim 27**

Claim 27 has been added by amendment, and is drawn to a method for collecting electronic receipts. Claim 27 is similar to pending claim 1, with a few important differences. Notably, claim 27 involves electronic receipt *objects* instead of database *records*. As one of skill in the art can appreciate, the advantage of an object is that it conveniently packages data along with functions or methods for accessing and manipulating that data. Adequate support for the electronic receipt object of claim 27 can be found at lines 3-22 of page 7 of the Application, which discloses storing information in objects such as JAVA class files, JAVA applets, or SOAP objects.

Claim 27 states in relevant part:

generating an electronic sales receipt *object* containing detailed information describing the items purchased and providing *one or more functions* for the detailed information, wherein detailed information includes sale price, sale tax, total transaction amount, and information indicating completion of the transaction;

As can be seen above, the sales receipt object of claim 27 contains the detailed information describing the items purchased, as well as provides one or more functions for the detailed information. Accordingly, the Applicants respectfully assert that claim 27 is allowable where the prior art references do not disclose, alone or in combination, receipt *objects* containing detailed information, and which provide one or more *functions* for the detailed information.

The Applicants also respectfully assert that claim 27 is allowable for at least the reasons provided for claim 1, particularly where the prior art references do not disclose a plurality of transactions where *each* transaction occurs between a *unique* buyer-seller combination.

**Dependent Claims 28-31**

Dependent claims 28-31 are allowable for at least the reason that each depends directly or indirectly from allowable independent claim 27.

ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420

**Independent Claim 32**

Claim 32 has been added by amendment, and is drawn to a method for collecting electronic receipts. Claim 32 is similar to claim 27 in that it involves electronic receipt *objects* which contain detailed information and provide one or more functions for that information. Adequate support for the electronic receipt object of claim 32 can be found at lines 3-22 of page 7 of the Application, which discloses storing information in objects such as JAVA class files, JAVA applets, or SOAP objects.

The Applicants respectfully assert that claim 32 is allowable for at least the reason that the prior art references do not disclose or suggest, alone or in combination, *capturing* detailed information, *generating* a sales receipt object containing the *detailed information*, *providing* one or more *functions* including a conversion function for the detailed information, *transmitting* the sales receipt object, and *executing* the conversion function. Claim 32 is also allowable for at least the reason that none of the prior art references, alone or in combination, disclose or suggest conducting a sales transaction between a *unique* buyer and seller combination.

**Dependent Claims 33-36**

Dependent claims 33-36 are allowable for at least the reason that each depends directly or indirectly from allowable independent claim 32.

Dependent claims 33-36 each recite a particular selected data format produced by the conversion function of independent claim 32, such as HTML and XML. Support for the selected data formats can be found for example on lines 3-22 of page 7, lines 4-7 of page 9, and lines 16-22 of page 21. The Applicants respectfully assert that claims 33-36 are also allowable where none of the prior art references, alone or in combination, recite a sales receipt object executing a conversion function which converts detailed information into one of the recited data formats.

**Dependent Claim 37**

Dependent claim 37 is allowable for at least the reason that it depends directly from allowable independent claim 32.

Dependent claim 37 further defines the receipt object of independent claim 32, such as a JAVA class, a JAVA applet, or an ActiveX object. The Applicants respectfully assert that claim

**ATTORNEY DOCKET NO. 01153.0001U3  
APPLICATION NO. 09/776,420**

37 is also allowable where none of the prior art references, alone or in combination, recite a sales receipt object further defined as in claim 37.

**Dependent Claims 38-42**

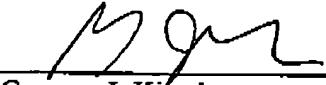
Dependent claims 38-42 are allowable for at least the reason that each depends directly or indirectly from allowable independent claim 32.

**CONCLUSION**

In view of the above, each of the presently pending claims in the application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass the application to issue. If the Examiner believes discussion of any issue would expedite examination, the Examiner is encouraged to telephone the Applicant's undersigned representative. No additional fee is believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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